

**Legislative and Planning (L&P) Committee Meeting
Norfolk Waterside Marriott
Wednesday, November 7, 2018
10:00 A.M.**

Members Present:	Members Absent:	OEMS Staff:	Others:
Rob Logan, Vice Chair	VHHA Representative	Scott Winston	Dreama Chandler
Ed Rhodes	Chris Parker, Chair (excused)		Jon Henshel
Byron Andrews	Gary Samuels (excused)		
Jeff Meyer	Gary Dalton (excused)		
Michael Player			
Steve Higgins			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
WELCOME AND INTRODUCTIONS	Vice Chair Rob Logan called the meeting to order at 10:05 AM. The minutes from Friday, August 3, 2018 meeting were unanimously approved after review by the committee.	Motion made by Ed Rhodes and seconded by Jeff Meyer to approve the August 3, 2018 meeting minutes. The Committee voted unanimously to approve the minutes.
OEMS UPDATE	<p>OEMS Quarterly Report. Mr. Scott Winston informed the committee members the OEMS quarterly report to the state EMS Advisory Board is posted on the OEMS website. The report may be viewed at http://www.vdh.virginia.gov/content/uploads/sites/23/2018/10/Quarterly-Report-to-the-State-EMS-Advisory-Board-for-November-7-2018-with-Appendices.pdf</p> <p>State EMS Advisory Board Slate of Officers Mr. Winston shared the proposed slate of nominations for 2018 through 2019, action to be taken by the state EMS Advisory Board scheduled on November 7, 2018. Mr. Chris Parker is nominated as Chairman of the state EMS Advisory Board and if selected, has requested to step down from the L&P committee. Mr. Eddie Ferguson is nominated for Vice Chair. Other</p>	

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	<p>nominations that will affect the L&P committee are Mr. Jon Henschel as Administrative Coordinator and Mr. Gary Samuels as chairman of the Legislative and Planning committee.</p> <p>VDH and OEMS Personnel Update. Mr. Scott Winston provided the committee members with a VDH and Office of EMS personnel update. Norman Oliver, MD appointed by Governor Northam as State Health Commissioner effective June 1, 2018. Dr. Parham Jaber, MD is the new Chief Deputy Commissioner for Public Health and Preparedness. There are seven (7) individuals rotating off the state EMS Advisory Board and new members are currently going through orientation.</p> <p>Mr. Luke Parker is the new Grants Manager for OEMS. Interviews for two fiscal technician positions were conducted the week of July 16. New employees began work at OEMS on August 10 and August 25. Mr. Chad Blosser is the new Training and Development Coordinator within the Division of Educational Development. Mr. Chris Vernovai is the new EMS Systems Planner and he began work at OEMS in late August. Mr. Ron Passmore, Regulation and Compliance Manager, Mr. Winston, Asst. Director and Mr. Adam Harrell, Business Manager are evaluating the possibility of contracting the function of obtaining finger print based criminal history records. FieldPrint is the current vendor on state contract. The committee members discussed the process currently used to obtain fingerprint based background checks. There is approximately \$115,000 currently allocated on an annual basis to the Virginia State Police to conduct background checks through their Central Criminal Records Exchange (CCRE). Committee members expressed concern that EMS funds will be used to pay for individuals that scheduled an appointment to submit their fingerprints through LiveScan at a FieldPrint location and then did not show. The committee feels the individual should be responsible for any “no show” fees. Mr. Ken Crumpler, OEMS Communications Coordinator resigned in early September to become the new Motorcycle Safety Coordinator for the Virginia Department of Motor Vehicles (DMV).</p> <p>OEMS Office Build-out. Mr. Winston briefed the committee on the plans to relocate OEMS staff assigned to work at 1001 Technology Park Drive to office space next to existing space occupied by OEMS at 1041 Technology Park Drive. Build out and remodeling will be</p>	

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	<p>conducted in phases and is scheduled to begin in December 2018. Work will be completed in March/April 2019.</p> <p>REPLICA. Recognition of EMS Personnel Licensure Interstate Compact (REPLICA) continues to gain momentum. Sixteen (16) states have adopted REPLICA. The latest states are NE, MO, and NH. Tennessee remains the only state that borders Virginia that has adopted REPLICA. KY and WV are pursuing adoption in their respective legislatures and MD has begun discussions to consider adopting REPLICA in their state. NC will be a late adopter because they currently do not use NREMT as their initial certification examination. DE has adopted REPLICA.</p> <p>EMS Scholarship Program (EMSSP). The Office of EMS has revamped the scholarship program. The program is portal based and launched in September 2018. There are two pathways for funding, a scholarship component for individuals and a grant component for EMS agencies. Base amount funding is a percentage of the cost derived from the number of credit hours assigned by the Virginia EMS Community College System (VCCS) for each level multiplied by the cost of a VCCS credit hour. Additional funding added to the base amount will utilize eGift stressors; Health Professional Shortage Area, Medically Underserved Area/Population, Fiscal Stress Index, and Return to Localities fund balances. The awards are for initial EMS certification programs and will only be awarded to an individual once per level per five years. The awardee is expected to receive EMS certification at the level of the course within 2 years of the course end date and affiliate with a licensed EMS agency.</p>	
STATE EMS PLAN	<p>State EMS Advisory Board approved the state EMS Plan at their November 9, 2016 Board meeting. The Board of Health at their March 16, 2017 meeting unanimously approved the plan. The plan will be presented to the Board of Health in 2020. Each committee of the state EMS Advisory Board is requested to provide input and suggested revisions to the state plan in the coming year (2019).</p>	 <p>2016StatePlanFinalDraft.docx</p>

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<p>REGULATORY UPDATE</p>	<p><u>Chapter 31: Virginia Emergency Medical Services Regulations to be repealed</u></p> <p>OEMS is required to conduct a periodic review of the EMS Regulations (12VAC5-31) every four (4) years. The Rules and Regulations committee has initiated a periodic review of the Virginia EMS Regulations (12VAC5-31).</p> <p>A Notice of Intended Regulatory Action (NOIRA) was approved by the Commissioner on behalf of the Board of Health. The public comment period for the NOIRA was held May 15 – June 14, 2017. OEMS did not receive any public comments related to the NOIRA. On Thursday, August 2, The Rules and Regulations Committee voted to unanimously approve moving to phase 2 of the regulatory process. Phase 2 involves submitting a regulatory package (Form TH-2 and sync Regulatory Information System (RIS) project) for review on Town Hall. Next, Executive Branch Review (Office of Attorney General (OAG), Dept. of Planning and Budget (DPB), Cabinet Secretary and Governor. Followed by sixty (60) day public comment period on Town Hall and at least one public comment forum.</p> <p>Members of the committee requested a copy of the proposed EMS Regulations (12VAC5-32). The public may view the proposed EMS Regulations on the Virginia Register and OEMS Web site once Executive Branch Review is completed. The committee also discussed the benefit in developing a user’s manual to help individuals navigate the new regulations as well as a document that provides a crosswalk between Chapter 31 and Chapter 32 EMS Regulations.</p>	 <p>Project 5100 Chapter 32 Final Roi</p>
<p>2018 VIRGINIA GENERAL ASSEMBLY</p>	<p>The committee discussed HB777, dealing with Air Medical Services – Concern over the high cost of air medical transportation. The bill, as introduced requires an EMS provider to obtain written consent prior to initiating air medical transport services. It also requires the development of a separate consent form for EMS personnel that the patient must receive and sign before they can be transported by air medical services. The Bill asks for development of statewide EMS Air Medical Dispatch Transport protocols. HB777 was left in House, Welfare and Institutions (HWI) committee and continued to 2019 in HWI by voice vote.</p> <p>SB663 & HB778 are identical bills and approved by the Governor on March 30, 2018 and March 9, 2018 respectively. Each hospital must provide written or electronic notice to the patient or his authorized representative that should they go by air there is the potential the air</p>	

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	<p>medical provider that arrives to transport them may not be within their health care provider insurance network, resulting in a large out of pocket expense. This would be required prior to the patient is transferred.</p> <p>Language from SB663 and HB778</p> <p><i>Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan.</i></p> <p>2. That the provisions of the first enactment of this act shall become effective on March 1, 2019.</p> <p>3. That the Office of Emergency Medical Services shall, as soon as possible and no later than <u>January 1, 2019</u>, develop a mechanism by which to disclose to the patient, prior to services provided by an out of network air transport provider, a good faith estimate of the range of typical charges for out of network air transport services provided in that geographic area.</p> <p>In the proposed EMS Regulations (12VAC5-32-910) a new EMS Personnel Fitness to Practice section has been developed to address requirements for mental health awareness training resulting from the passage of HB 1412/SB 670. This new section of the proposed EMS Regulations also require EMS agencies to develop fatigue risk management guidelines.</p> <p>SB715 allowing firefighters and EMS personnel with concealed weapons permits to carry firearms onto permitted EMS vehicles was defeated. However, the patron of the bill, Senator Chase has reintroduced the bill (SB1012) and it is on the list of bills for the 2019 session of the Virginia General Assembly. At the Regional EMS Council Executive Directors Group meeting held on Thursday, August 2, the group voted to oppose this bill.</p> <p>The committee discussed SB1013, Driver's license; suspension for nonpayment of fines or costs. This bill introduced by Senator William Stanley, Jr. will be heard during the 2019 session</p>	

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	<p>of the Virginia General Assembly. This bill if passed repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, if such person has paid the applicable reinstatement fee. Funding for trauma centers may be affected from a reduction in revenue that comes from individuals that have their drivers licenses suspended because of habitual DUI convictions, failure to renew their license before it expires, or failure to pay fees and fines and who must pay a reinstatement fee to reactivate their driving privileges.</p>	
UNFINISHED BUSINESS	No business remains unfinished.	
NEW BUSINESS	<p>The VHHA representative position on the committee is currently vacant. VHHA is now represented by Dr. Jeremiah O'Shea on the state EMS Advisory Board. Dr. O'Shea has expressed interest on his committee interest form (third choice) in serving on L&P. Mr. Winston agreed to contact VHHA and request representation from their organization on the Legislative and Planning Committee. The committee also reviewed committee interest forms from new EMS Advisory Board members. Mr. Gary Tanner representing VACO indicated as his second choice to serve on L&P committee. Mr. Gary Samuels, already a member of the committee representing Virginia Professional Firefighters indicated his first choice to serve on the L&P Committee. Mr. Kevin Dillard representing the Virginia Ambulance Association indicated as his second choice to serve on the L&P committee. Mr. J.C. Bolling representing Southwest Virginia EMS Council indicated as his second choice to serve on the L&P committee. Mr. Rich Orndorff, Jr. representing VML indicated as his first choice to serve on the L&P committee.</p> <p>The committee recommended polling the current membership to determine their interest in continuing to serve. All members present at the meeting indicated they were interested in continuing to serve on the committee. There was discussion to expand the membership of the committee to include VACO and VML. Approval from the Chair of the state EMS Advisory Board is required to do so.</p>	<p>Mr. Winston will contact VHHA to request representation on the L&P Committee.</p> <p>Mr. Winston will contact new EMS Advisory Board members who indicated an interest in serving on L&P to determine if they would like to join the committee. If necessary, request permission of the Chair of the Board to expand the membership of the L&P committee to exceed ten (10) members.</p>

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PUBLIC COMMENT	There is no public comment.	
NEXT MEETING DATE	Meeting dates and location of meetings for 2019 are TBD. OEMS is currently soliciting bids for conference and meeting space for next year.	
ADJOURNMENT	The meeting adjourned at 11:20 AM.	Motion made to adjourn the meeting by Jeff Meyer, second by Ed Rhodes.

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